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7 *Attorneys for Respondents*

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 JAMES ANTHONY DAVIS,
11 Petitioner,
12 vs.
13 DWIGHT W. NEVEN, et al.,
14 Respondents.

Case No. 2:15-cv-01574-RFB-NJK

**UNOPPOSED MOTION FOR EXTENSION OF
TIME TO FILE OPPOSITION TO
PETITIONER'S MOTION FOR
EVIDENTIARY HEARING (ECF NO. 62)
(FIRST REQUEST)**

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16 Respondents hereby request an extension of time of an additional forty-five (45) days, up to and
17 including December 3, 2018, within which to file their Opposition to Petitioner's Motion for Evidentiary
18 Hearing (ECF No. 62). The current due date to file the Opposition is October 19, 2018.

19 This motion is based on the accompanying Declaration of Counsel.

20 DATED: October 19, 2018.

21 ADAM PAUL LAXALT
Attorney General
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23 By: /s/ Heidi Parry Stern
Heidi Parry Stern (Bar. No. 8873)
Chief Deputy Attorney General
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I, HEIDI PARRY STERN, being first duly sworn under oath, depose and state as follows:

1. I am an attorney licensed to practice law in the State of Nevada; qualified and admitted to practice before this Court; employed as a Chief Deputy Attorney General in the Office of the Nevada Attorney General; and pursuant to this employment, I have been assigned to represent Respondents in *James Anthony Davis v. Dwight W. Neven, et al.*, 2:15-cv-01574-RFB-NJK, and as such, have personal knowledge of the matters contained herein.
2. This extension is necessary due to my preparation for oral argument in the Ninth Circuit in *Robert Jones v. Jack Palmer, et al.*, Case No. 17-15575, which took place on October 9, 2018, and *Alquandre H. Turner v. Renee Baker, Warden, et al.*, Case No. 17-72044, which will be taking place on November 16, 2018.
3. In addition, our office has been short staffed over the past few months due to the retirement of one of the attorneys in our unit and the difficulty in finding a replacement for him.
4. That the Opposition to Petitioner's Motion for Evidentiary Hearing is due to be filed October 19, 2018.
5. Respondents request forty-five (45) days to file a reply, up to and including December 3, 2018.
6. I have contacted opposing counsel, and she has no objection to this request for extension.
7. This is Respondents' first motion for enlargement of time to file the Opposition.
8. This motion for enlargement of time is made in good faith and not for the purpose of delay.

DATED this 19th day of October, 2018.

APPROVED:

/s/ Heidi Parry Stern
Heidi Parry Stern (Bar No. 8873)
Chief Deputy Attorney General

DATED this 23rd day of October, 2018.

RICHARD F. BOULWARE, II
United States District Judge

